

REMARKS

Claims 1-13, 15- 25 and 27-30 are pending in the present application. Claims 14 and 26 are canceled. Claims 1, 3-5, 7, 9-12, 15, 16, 18, 22, 25, 29, and 30 are amended. New claims 31-32 are added.

Applicant's Agent and the Examiner discussed the application by phone on June 23, 2005. Applicants, through their Agent, express appreciation to the Examiner for granting this interview and for his helpful comments which Applicants considered fully before making the present amendments. Based on elements of that conversation Applicant has decided to amend claim language by specifying that the document repository system and method is used because a printer is unavailable.

Reconsideration of the claims is respectfully requested. No new matter has been added by these amendments. 35 U.S.C. § 112 support and justification for the subject matter revised in the currently amended claims can be found on at least page 8 of the specification of the filed application.

I. 35 U.S.C. § 102, Anticipation

The Examiner has rejected claims 1-30 under 35 U.S.C. § 102 as being anticipated by *Laverty et al.* (U.S. Patent 6,396,593), hereinafter *Laverty*. This rejection is respectfully traversed.

In rejecting the claim, the Examiner states:

Regarding claim 1, *Laverty* discloses a method in a data processing system (col. 23, line 66, computer system) for managing a document, the method comprising: receiving a request from a user at a remote data processing system to save (col. 10, lines 21-22, the customer clicks a button that tells the system to save the order) a document for printing, wherein the request includes the document (col. 10, lines 24-25, the Print Ready File (PRF) is saved on a server); storing the document in a repository (col. 10, line 25, saved on the server) in association with the user in response to receiving the request to form a stored document; and sending the stored document to printer in response to a signal (col. 9, lines 60-61, the PRF is sent to the printer as a print order request and the printing process begins).

Office Action dated May 13, 2005, page 2.

Amended claim 1 reads as follows:

A method in a data processing system for managing a document, the method comprising:

responsive to a printer being unavailable, receiving a first request from a user at a remote data processing system to save a document for printing, wherein the request includes the document;

storing a record of the document in a repository in association with the user in response to receiving the request to form a stored document; and

sending the stored document to the printer in response to a receiving a second request from the user to print the stored document to the printer.

As discussed with the Examiner, *Laverty* does not expressly or inherently describe, teach or suggest storing a document in a repository for later printing because a printer is unavailable. Neither does it teach retrieving the saved document at the user's request to print at a user specified printer. As a result, every element of the method of claim 1 is not disclosed in *Laverty* overcoming the 15 U.S.C. § 102(e) rejection.

Since claims 2-5 depend from claim 1, the same distinctions between *Laverty* and the claimed invention in claim 1 apply for these claims.

Independent claims 7, 15, 16, 22, 29, and 30 have been similarly amended and recite subject matter addressed above with respect to claim 1 and are allowable for similar reasons. Since claims 2-6, 8-10, 12, 15, 17-21, 23-25, 27, and 28 depend from claims 1, 7, 15, 16 and 22, the same distinctions between *Laverty* and the invention recited in claims 1, 7, 15, 16 and 22 apply for these claims.

New claim 31 recites various elements of claim 1. New claim 31 differs from *Laverty* because in *Laverty* there is no sending step as in claim 31 wherein the customer requests his document be printed, or more explicitly that it be printed to a given printing machine accessible to the user at that moment. In *Laverty*, the order is considered "pending" or "released", once submitted by the customer, at which time the saved order is processed. Col. 10, lines 28-31. The later processing and consequent printing is not done at the user's control. See *Laverty*, col. 10, lines 29-38. The customer is not able to choose the time or printing machine to be used in printing.

Claim 31 is also distinguishable from *Laverty* because it specifies that a user prints to a given printing machine. In *Laverty*, the customer is not able to print to a specified printing machine at his request.

New claim 32 depends from claim 31 and are similarly distinguishable from *Laverty*.

Furthermore, *Laverty* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. *Laverty* actually teaches away from the presently claimed invention because it does not teach storing a document when a printer is unavailable for printing so that it may later be printed at a users control to a specified printing machine as claimed in the presently claimed invention. Absent the examiner pointing out some teaching, incentive or a reason that a user would store a document in a repository to print later because a printer is unavailable and subsequently choose to print the document to a given printer, one of ordinary skill in the art would not be led to modify *Laverty* to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify *Laverty* in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

II. Conclusion

It is respectfully urged that the subject application is patentable over *Laverty* and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 7/15/05

Respectfully submitted,



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